

EXHIBIT “10”

In The Matter Of:

*Bryson, et al v.
Rough Country, LLC*

*Jonathan Eisenstat, MD
January 15, 2024*

*D'Amico & Associates, Inc.
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1 A I don't recall.

2 Q Okay. Do you know where his head was
3 positioned prior to impact?

4 A I do not.

5 Q Do you know where he was positioned after
6 the accident while he was still in the vehicle?

7 A I don't recall.

8 Q Do you know whether he was conscious when
9 he was removed from the vehicle?

10 A I wasn't looking into that, so I
11 didn't -- again, I didn't really go in-depth into
12 looking into conscious pain and suffering so I don't
13 know because I didn't really look into it.

14 Q Do you plan to give any opinions in this
15 case regarding whether CB experienced any conscious
16 pain and suffering?

17 A No, sir.

18 Q So you can't say one way or the other is
19 what you're saying?

20 A Well, not as of today --

21 Q Right.

22 A -- with what I have looked at, that's
23 correct.

24 Q All right. Would you agree that at the
25 time that he suffered the AOD that at least from that 29

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1 point forward he did not experience any conscious pain
2 and suffering?

3 A I would agree with that.

4 Q And you would agree that -- or you've
5 opined I believe in the report that the AOD was caused
6 by a blunt impact to his head and neck?

7 A That's correct.

8 Q And would you agree that the AOD occurred
9 at the moment of or at the time of the blunt trauma or
10 blunt impact?

11 A Yes, within milliseconds. So in my
12 opinion, there's no doubt that this was a blunt impact
13 head injury, not a rapid acceleration/deceleration
14 injury because we have the fracture line that's coming
15 from one side to the other. So once that impact
16 happens and the fracture line comes down and the head
17 gets pushed off of the spine, I agree after that
18 there's no more conscious pain and suffering.

19 Q It's basically like a laceration of his
20 brainstem; is that a fair way to describe it?

21 A That's exactly correct.

22 Q And it would occur within milliseconds of
23 the blunt impact?

24 A That's correct.

25 Q There was also, and I'll mispronounce

30